

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

IN RE:

VANWINKLE, DEREK LEE)	
VANWINKLE, STACEY LEIGH)	CASE NO. 14-02251-JMC-7A
)	
Debtors.)	

AMENDED MOTION TO SETTLE AND
NOTICE OF OBJECTION DEADLINE

Comes now Paul D. Gresk, the Chapter 7 trustee of this bankruptcy proceeding, and in support of this motion, makes the following showing:

- 1) Paul D. Gresk is the duly appointed Chapter 7 trustee of this bankruptcy proceeding.
- 2) The Debtors have an interest in a lawsuit filed in the United State District Court for the Southern District of Indiana as Case No. 1:15-CV-1082-JMS-MJD against the Indiana Department of Child Services et al.
- 3) The case has settled for \$850,000.
- 4) The Chapter 7 trustee believes this settlement is fair and reasonable and in the best interest of the estate to accept. A copy of the settlement agreement is attached hereto as "Exhibit A."
- 5) The Chapter 7 trustee seeks approval of the settlement agreement and to settle the claim for \$850,000.

NOTICE IS GIVEN that any objection must be filed with the Bankruptcy Clerk on or before **November 30, 2017**. Those not required or permitted to file electronically must deliver any objection by U.S. mail, courier, overnight/express mail, or in person at:

United States Bankruptcy Court
Room 116
Birch Bayh Federal Building and United States Courthouse
46 East Ohio Street
Indianapolis, IN 46204

The objecting party must ensure delivery of the objection to the party filing the motion.

If an objection is NOT timely filed, the requested relief may be granted.

WHEREFORE, Paul D. Gresk, the Chapter 7 trustee of this bankruptcy proceeding,
requests approval of the settlement agreement and authority to settle the claim for \$850,000.

Respectfully submitted,

/s/ Paul D. Gresk
Paul D. Gresk, the Chapter 7 trustee
150 East 10th Street
Indianapolis, IN 46204
Phone: (317)237-7913
Fax: (317)237-7912
Email: bankruptcy@gslawindy.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of this pleading has been served upon the below listed party
by either electronic mail and/or U.S. mail, postage prepaid on the date upon filing with the
United States Bankruptcy Court.

April Hall april@hall-lawoffice.com	U.S. Trustee ustpreion10.in.ecf@usdoj.gov
Cohen & Malad, LLP One Indiana Square, Suite 1400 Indianapolis, IN 46204	Discover Products, Inc. P.O. Box 3025 New Albany, OH 43054-3025
Von Maur, Inc. 6565 Brady Street Davenport, IA 52806	Capital One Bank (USA), N.A. By American InfoSource as agent P.O. Box 71083 Charlotte, NC 28272-1083
Navient Solutions, Inc.	Navient Solutions, Inc.

P.O. Box 9640 Wilkes-Barre, PA 18773-9640	P.O. Box 9635 Wilkes-Barre, PA 18773-9635
Capital One, N.A. c/o Becket and Lee LLP P.O. Box 3001 Malvern, PA 19355-0701	PYOD, LLC Resurgent Capital Services P.O. Box 19008 Greenville, SC 29602

/s/ Paul D. Gresk
Paul D. Gresk